

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HARLAN JEROME DEAN MAD
PLUME,

Defendant.

CR-16-03-GF-BMM-JTJ

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on July 2, 2019. (Doc. 107). Mad Plume stated that he wished to waive his right to object to Judge Johnston's Findings and Recommendations. *Id.* at 3. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on July 1, 2019. The United States alleged that Mad Plume had violated the conditions of his supervised release by committing three separate crimes. (Doc. 107 at 2). Mad Plume admitted to

alleged Violations 2 and 3. *Id.* These violations prove serious and warrant revocation of Mad Plume's supervised release.

Judge Johnston has recommended that the Court revoke Mad Plume's supervised release and commit Mad Plume to the custody of the Bureau of Prisons for nine (9) months with no supervised release to follow. *Id.* at 3. Judge Johnston recommended further that Mad Plume receive credit for time-served from December 19, 2018. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Mad Plume's violations represent a serious breach of the Court's trust. A custody term of nine (9) months with no supervised release to follow proves sufficient but not greater than necessary.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 107) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Harlan Jerome Dean Mad Plume receive a custody sentence for nine (9) months with no supervised release to follow. Mad Plume will receive credit for time-served since December 19, 2018.

DATED this 9th day of July, 2019.



Brian Morris
United States District Court Judge